

REMARKS

This is in response to the Advisory Action issued in response to Applicants response to the Official Action issued in accordance with the practice established under *Ex parte Quayle* that is currently outstanding with respect to the above-identified application.

Claims 1-19 were present in this application as of the time of the issuance of the currently outstanding Advisory Action. By the foregoing Amendment, Claims 14-16 have been cancelled. No Claims have been amended and no New Claims have been added. Accordingly, upon the entry of the foregoing Amendment, Claims 1-13 and 17-19 will constitute the claims under active prosecution in this application.

A version of the claims as they will stand upon the entry of this amendment is set forth above as required by the Rules.

More specifically, it is noted that in the currently outstanding Official Action, the Examiner has:

1. Failed to advise Applicants concerning whether or not the new formal drawings submitted on 28 July 2003 that add the legend -- PRIOR ART -- to Figures 6-10 are acceptable. **Applicants presume from the fact that the Examiner has declared prosecution on the merits of this application to be closed that the Examiner has accepted the new formal drawings submitted on 28 July 2003. Should this presumption be incorrect, Applicants respectfully request that the Examiner notify their undersigned representative concerning any changes deemed necessary by telephone as soon as possible.**

2. Maintained his objection to Claims 14-16 for failing to particularly point out and distinctly claim the subject matter that Applicants regard as the invention on the basis that it is unclear from the current wording of Claim 14 why a clock signal is generated but never used later in the claim, and his indication that Claims 14-16 would be allowable if rewritten in a manner overcoming the foregoing objection, but refused entry to Applicants' Amendment of 24 April 2004 on the grounds that the proposed amendment raises new issues that would change the scope of the invention previously claimed and prosecuted, require further consideration, and raise new issues under 35 USC 112, first paragraph.
3. Indicated that Claims 1-13 and 17-19 are allowed.

Further comment concerning items 1 and 3 are not deemed to be necessary in these Remarks.

With respect to item 2, Applicants thank the Examiner for the courtesy accorded to their undersigned representative during the course of a series of telephone interviews wherein the foregoing situation and issues were discussed. Unfortunately, no agreement was reached during this series of telephone interviews concerning mutually acceptable wording for Claims 14-16.

By the foregoing Amendment, Applicants have elected to cancel Claims 14-16 without prejudice. Accordingly, in the event that the Examiner grants entry to this Amendment, only allowed Claims 1-13 and 17-19 will remain under active prosecution.

Since the result of the entry of the foregoing Amendment will be that only allowed claims will remain in this application, Applicants respectfully submit that the foregoing Amendment is in direct conformance with 37 CFR 1.116 and should be granted entry. A decision so holding and allowing this application with Claims 1-13 and 17-19 in response to this communication therefore is respectfully requested.

Finally, Applicants believe that additional fees are not required in connection with the consideration of this response to the currently outstanding Official Action. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge and/or credit Deposit Account No. **04-1105**, as necessary, for the correct payment of all fees which may be due in connection with the filing and consideration of this communication.

Respectfully submitted,

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